

FILED
IN CLERK'S OFFICE
U.S. DISTRICT COURT E.D.N.Y.

★ DEC 17 2012 ★

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

LONG ISLAND OFFICE

JESSIE BRACKETT on Behalf of Himself and
all Others Similarly Situated,

Case No. 2:12-cv-2775 (LDW) (WDW)

Plaintiff,

v.

**NOTICE OF VOLUNTARY DISMISSAL
PURSUANT TO FED. R. CIV. P.
41(a)(1)(A)(i)**

TERRY GENE BOLLEA a/k/a HULK
HOGAN, MARK ANDREW SPITZ, DR.
JACOB ROSENSTEIN and NAC
MARKETING COMPANY, LLC d/b/a NEW
VITALITY,

Defendants.

Pursuant to Rule 41(a)(1)(A)(i) of the Federal Rules of Civil Procedure, Plaintiff Jessie Brackett, by and through his attorney, hereby give notice that the above-captioned action is voluntarily dismissed, without prejudice, against defendants Terry Gene Bollea a/k/a Hulk Hogan, Mark Andrew Spitz, Dr. Jacob Rosenstein and NAC Marketing Company, LLC d/b/a New Vitality. This notice of dismissal is being filed with the Court before service by Defendant of either an answer or a motion for summary judgment.

Dated: December 14, 2012

Respectfully submitted,

FARUQI & FARUQI, LLP

By: /s/ Antonio Vozzolo
Antonio Vozzolo (AV-8773)
369 Lexington Avenue, 10th Floor
New York, New York 10017
Tel: 212-983-9330
Fax: 212-983-9331
avozzolo@faruqilaw.com

SO ORDERED:

/s/ Leonard D. Wexler

Central Islip, NY
12/17/12